

# NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL

Atty. Docket No.: 14098/1013

## CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL728734677US** on this date, **October 24, 2001**, postage prepaid, in an envelope addressed to Box: Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Kathleen Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Enclosed herewith is a new patent application of:

First Named Inventor (or application identifier): Edberg, Stephen C.

Title of Invention: "Detection of First Generation Environmental Sourced Microbes in an Environmentally-Derived Sample"

- Type: ☐ New  
☐ Continuation of:  
☐ Continuation-in-Part of:  
☒ Divisional of: 09/114,464

and includes the following papers:

1. ☒ Specification 13 pages (including specification, claims, abstract)/5 claims (1 independent)
2. ☒ Declaration/Power of Attorney is:
  - ☒ attached ☐ executed ☒ unexecuted
  - ☐ NOT included, but deferred under 37 C.F.R. § 1.53(f).
3. ☐ \_\_\_\_\_ Distinct sheets of ☐ Formal ☐ Informal Drawings
4. ☐ Preliminary Amendment.
5. ☐ Information Disclosure Statement
  - ☐ Form 1449
  - ☐ A copy of each cited prior art reference
6. ☐ Assignment with Recordation Cover Sheet.
7. ☐ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)

8. ☒ Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)
US	09/114,464	13 July 1998
US	08/465,010	5 June 1995

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Atty. Docket No.: 14098/1013

US	08/323,064	14 October 1994
US	08/149,706	9 November 1993
US	07/824,893	22 January 1992
US	07/752,996	3 September 1991
US	07/349,653	10 May 1989
US	06/880,305	30 June 1986

9. ☐ Priority document(s).
10. ☒ Statement of Small Entity Status, Pursuant to 37 C.F.R. §1.27.
11. ☐ Microfiche Computer Program (Appendix).
12. ☐ Nucleotide and/or Amino Acid Sequence Submission.  
☐ Computer Readable Copy.  
☐ Paper Copy (identical to computer copy).  
☐ Statement verifying identity of above copies.
13. ☒ Request for Non-Publication and Certification under 35 USC 122 (b)(2)(B)(i)
14. Calculation of Fees:

FEES FOR	TOTAL CLAIMS	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))				\$740.00
Total Claims in <b>Excess of 20</b> (37 C.F.R. § 1.16(e))	5	0	\$18.00	0
Independent Claims in <b>Excess of 3</b> (37 C.F.R. § 1.16(b))	1	0	\$80.00	0
Multiple Dependent Claims (37 C.F.R. § 1.16(d))	No		\$270.00	0
Subtotal - Filing Fee Due				\$740.00
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)	MULTIPLY BY 0.50			\$370.00
<b>TOTAL FILING FEE DUE</b>				<b>\$370.00</b>
Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h))	0		\$40.00	0
<b>GRAND TOTAL DUE</b>				<b>\$370.00</b>

15. PAYMENT is:  
☒ included in the amount of \$370.00 by our enclosed check. The Commissioner is hereby authorized to charge any deficiencies in the fees to Deposit Account 16-0085, Ref. 14098/1013.  
☐ not included, but deferred under 37 C.F.R. § 1.53(f).
16. All correspondence for the attached application should be directed to:  

**Kathleen Williams**  
**Customer Number 29933**
17. Other: \_\_\_\_\_

**NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL**

**Atty. Docket No.: 14098/1013**

Respectfully submitted,

Date: October 24, 2001

By: 

Name: Kathleen Williams

Registration No.: 34,380

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Edberg, Stephen C.  
Serial No.: Not Yet Assigned  
Filed: October 24, 2001  
Entitled: "Detection of First Generation  
Environmental Sourced Microbes in an  
Environmentally-Derived Sample"

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL728734677US** on this date, **October 24, 2001**, postage prepaid, in an envelope addressed to Box: Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Kathleen Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Box: Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

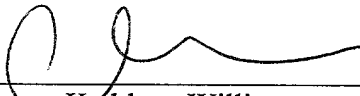
1. New Patent Application Transmittal;
2. Patent Application, (13 pages);
3. Declaration/Power of Attorney;
4. Request and Certification Under 35 U.S.C. 122(b)(2)(B)(I);
5. Check in the amount of \$ 370.00 for the requisite filing fee; and
6. Return Post Card.

Pursuant to 37 C.F.R. § 1.27, Applicant claims small entity status.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 14098/1013.  
A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: October 24, 2001

  
Name: Kathleen Williams  
Registration No.: 34,380  
Customer No.: 29933  
Palmer & Dodge LLP  
One Beacon Street  
Boston, MA 02108  
Tel: 617-573-0100

Express Mail Label Number: EL728734677US


Date of Deposit: October 24, 2001

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		Stephen C. Edberg
	Title:	Detection of First Generation Environmentally Sourced Microbes in an Environmentally-Derived Sample	
	Attorney Docket Number:		14098/1013

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b)

October 24, 2001

Date



Signature

Kathleen M. Williams

Typed or printed name

This request **must** be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**